

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON FEBRUARY 4, 2020.

Meeting called to order at 9:00 a.m. by Chairman Tom Heidenwirth with members Greg Barnett and Rusty Eddy present. Also present was Bethany Carson, Mid-America Publishing.

Minutes of the previous meeting were read and approved as read.

The following Resolution was omitted from the January 28, 2020 Board Minutes:

Moved by Barnett, second by Heidenwirth to approve the following:

RESOLUTION #953

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING ON THE ADOPTION OF THE MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN FOR BUTLER COUNTY, IOWA.

WHEREAS, the Board of Supervisors of Butler County, Iowa has authorized the Iowa Northland Regional Council of Governments to develop a Multi-Jurisdictional Hazard Mitigation Plan in cooperation with the Multi-Jurisdictional Hazard Mitigation Planning Committee for the County; and,

WHEREAS, the Board of Supervisors of Butler County Iowa desires citizen input on the establishment and adoption of a Multi-Jurisdictional Hazard Mitigation Plan, and,

NOW THEREFORE BE IT RESOLVED THAT, a public hearing be held on the adoption of a Multi-Jurisdictional Hazard Mitigation Plan for Butler County, Iowa. Said Public Hearing to be held on the 3rd Day of March, 2020 at 9:05 a.m. at the Butler County Courthouse in Allison, Iowa.

UPON Roll Call the vote thereon was as follows:

AYES: Tom Heidenwirth	NAYS: None
Rusty Eddy	
Greg Barnett	

Passed and adopted this 28th day of January, 2020.

ATTEST: *Lizbeth Williams*, County Auditor

Moved by Barnett, second by Eddy to certify Butler County Cost allocation Plan. All ayes. Motion carried.

Board set February 18, 2020 at 9:05 A.M. as the date and time for a public hearing on the Max Levy.

Moved by Barnett, second by Eddy to approve the following:

RESOLUTION #954

**MUNICIPAL SOLID WASTE SANITARY LANDFILL
LOCAL GOVERNMENT GUARANTEE**

Guarantee made this 4th day of February by Butler County, Iowa, herein referred to as "Guarantor", which is a county organized under the laws of the State of Iowa. This guarantee is made by the Guarantor on behalf of the Rural Iowa Waste Management Association to the Iowa Department of Natural Resources, herein referred to as "IDNR", in an amount not to exceed six hundred forty five thousand, four hundred ninety and 50/100 dollars (\$645,490.50) lawful money of the United States.

WHEREAS, Section 455B.306 of the Code of Iowa requires financial assurance instruments for all sanitary disposal projects; and

WHEREAS, the Rural Iowa Waste Management Association has applied to the IDNR to operate a sanitary disposal project located within the State of Iowa, and is required pursuant to IAC 567 Chapter 113.14 to maintain financial assurance for closure and/or postclosure care in connection therewith; and

WHEREAS, IAC 567 Chapter 113.14(6)"h" provides for the "Local Government Guarantee" mechanism to be an acceptable financial assurance instrument, and Guarantor meets or exceeds the financial test criteria and agrees to comply with the requirements of said subrule; and

WHEREAS, the Rural Iowa Waste Management Association owns and/or operates the following municipal solid waste sanitary landfill facility covered by this Guarantee:

IDNR SDP Permit # 42-SDP-01-72P
Rural Iowa Sanitary Landfill
20488 M Avenue
Eldora, IA 50627
Closure Cost to be assured: \$157,384.50
Postclosure Cost to be assured: \$488,106.00

WHEREAS, the Guarantor guarantees to IDNR that in the event that the Rural Iowa Waste Management Association fails to perform closure and/or postclosure care of the above facility in accordance with the approved plan or other permit requirements, whenever required to do so, the Guarantor shall either perform closure and/or postclosure care, pay a third party to perform closure and/or postclosure care, establish a fully

funded secured trust fund as specified in IAC 567 Chapter 113.14(6)“a”, or establish an alternate financial assurance instrument in the name of the Rural Iowa Waste Management Agency in the amount of the current closure and/or postclosure cost estimate, as required by Chapter 113.14(6).

WHEREAS, the Guarantor agrees to remain bound under this Guarantee for as long as the Rural Iowa Waste Management Association must comply with the applicable financial assurance requirements of Chapter 113, except when the Guarantor provides written notice, by certified mail, of intent to terminate Guarantee, at least 120 days prior to the date said Guarantee is to be terminated. When such notice is provided, the Rural Iowa Waste Management Association shall, within 90 days, provide IDNR proof of alternate financial assurance or the IDNR shall call upon the Local Government Guarantee.

WHEREAS, the Guarantor expressly waives notice of acceptance of this Guarantee by the Rural Iowa Waste Management Agency or by IDNR. Guarantor also expressly waives notice of amendments or modifications of the site closure plan and of amendments or modifications of the facility permit(s).

IN WITNESS THEREOF, the Guarantor executes this Local Government Guarantee under their respective hand and seal, this 4th day of February, 2020.

Passed and adopted this 4th day of February, 2020.

UPON Roll Call the vote thereon was as follows:

AYES: Tom Heidenwirth
Rusty Eddy
Greg Barnett

NAYS: None

ATTEST: *Lizbeth Williams*, County Auditor

No public comment received.

Board approved claims as submitted.

Board acknowledged receipt of Manure Management Plan Annual Updates for Irish Finisher Farm; Pleasant Valley Finisher; Brocka Finisher Farm; Ackley Finisher Farm; Gabe Finisher Farm; Feckers Finisher Farm; Spain Finisher Farm; RB Spain Finisher Farm; RB Real Site Finisher; RB DeGroote Finisher Farm and RB Poppen Finisher Farm

Moved by Eddy, second by Barnett to adjourn the meeting at 9:35 A.M. to Tuesday, February 11, 2020 at 9:00 A.M. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on February 4, 2020.